

5/023/076\*  
5/023/025



United States Department of the Interior  
BUREAU OF LAND MANAGEMENT  
FILLMORE FIELD OFFICE  
35 East 500 North  
Fillmore, Utah 84631



In Reply Refer to:  
3800  
(U-010)  
UTU-079848

March 19, 2004

CERTIFIED MAIL #7003 2260 0005 6848 5882  
RETURN RECEIPT REQUESTED

DECISION

LARRY LEHTO  
12868 ELLSWORTH PL  
LAKEWOOD CO 80228

43 CFR 3809  
PLAN OF OPERATIONS  
APPROVED

Your Plan of Operations to conduct mining activity at three sites in the Thomas/Drum Ranges, specifically, the NE $\frac{1}{4}$ , sec. 7, T. 14 S., R. 10 W., SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , sec. 33, T. 11 S., R. 11 W., and SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , sec. 28, T. 12 S., R. 11 W., SLB&M, has been approved contingent upon your submitting a financial guarantee for reclamation to the Utah State Office of the BLM. We have calculated a reclamation cost estimate (RCE) of \$2,460 for the operation, and are submitting it for your review. If you do not agree with our RCE, please submit an alternate proposal within 30 days of receipt of this decision. 5/023/025

If you do agree with our RCE, please submit written concurrence within 30 days of receipt of this decision. If you have any questions, please contact Sheri Wysong at (435) 743-3124.

If you do not agree with, and are adversely affected by, this decision, you have the right to request review by the Utah State Director (SD) of the Bureau of Land Management in accordance with 43 CFR 3809.800. If you exercise this right, your request, accompanied by a brief written statement explaining why we should change our decision and any documents that support your written statement, must be filed in writing within 30 days after you receive this decision. The envelope should be marked "State Director Review" and sent to the following address:

BUREAU OF LAND MANAGEMENT  
UTAH STATE OFFICE  
PO BOX 45155  
SLC UT 84145-0155

RECEIVED

MAR 23 2004

DIV. OF OIL, GAS & MINING

You should include a telephone or fax number by which the SD can contact you. If the SD does not make a decision within 21 days on whether to accept your request for review, you should consider your request declined, and you may appeal this decision to the Office of Hearings and Appeals (OHA). You may also appeal to OHA if the SD's decision is adverse to you. You must file a



notice of appeal to this office within 30 calendar days of the date you receive the SD's decision or decision not to review.

You may also bypass State Director review, and appeal directly to OHA in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in the Fillmore Field Office within 30 days of receipt of this decision. You have the burden of showing that the decision appealed from is in error.

If you wish to file a petition to regulation 43 CFR 4.21 (58 FR 4939 January 19, 1993) for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Interior Board of Land Appeals (Board), the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay **must** also be submitted to each party named in this decision and to the Board, and to the appropriate Office of the Solicitor (see 43 CFR 4.412) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

#### Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

As mandated in 43 CFR 3809.808 this decision will remain in full force and effect during review and appeal unless a written request for a stay is granted.

*Paul Case (acting)*

#### Enclosure:

Reclamation Cost Estimate (RCE)  
Form 1842-1

cc: Tom Munson, UDOGM (S/023/01<sup>7</sup>, w/ copy of RCE)  
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# Reclamation Cost Model For Existing Notice Level Operations

Dozer Work				Earthwork
	Acres		Cost/Acre	
Light	0.5	Recontouring Cost	\$ 330.00	\$165.00
Moderate	0	Recontouring Cost	\$ 990.00	\$0.00
Heavy	0.5	Recontouring Cost	\$1,485.00	\$742.50
Excavator Work				
Roads with the side Slope,	Linear Feet		Cost/Linear Foot	
<30%	0	Recontouring Cost	\$ 1.50	\$0.00
>30%	0	Recontouring Cost	\$ 2.40	\$0.00
Areas of non-road disturbance where the use of dozer wouldn't be adequate.				
	Acres		Cost /Acre	
<30%	0	Recontouring Cost	\$4,665.00	\$0.00
>30%	0	Recontouring Cost	\$7,465.00	\$0.00
Revegetation				Revegetation
	Acres		Cost/Acre	
Non-Road disturbances with machine spreader	0	Revegetation Cost	\$ 600.00	\$0.00
Non-Road disturbances with manual spreading	1	Revegetation Cost	\$150.00	\$150.00
	Linear Feet		Cost/Linear Foot	